



## INTERIOR BOARD OF INDIAN APPEALS

Shoshone-Bannock Tribes of the Fort Hall Reservation  
v. Northwest Regional Director, Bureau of Indian Affairs

38 IBIA 269 (01/07/2003)



## United States Department of the Interior

OFFICE OF HEARINGS AND APPEALS  
INTERIOR BOARD OF INDIAN APPEALS  
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ARLINGTON, VA 22203

SHOSHONE-BANNOCK TRIBES OF  
THE FORT HALL RESERVATION,  
Appellant

v.

NORTHWEST REGIONAL DIRECTOR,  
BUREAU OF INDIAN AFFAIRS,  
Appellee

: Order Denying Reconsideration  
:  
:  
:  
: Docket No. IBIA 02-110-A  
:  
:  
:  
: January 7, 2003

This appeal was dismissed on November 19, 2002, for failure to prosecute. 38 IBIA 221. On January 2, 2002, the Board received a motion for reconsideration from Appellant.

Appellant states that it files its motion under 43 C.F.R. § 4.126. However, that regulation concerns reconsideration of decisions made by the Interior Board of Contract Appeals. This Board's regulation concerning reconsideration is found at 43 C.F.R. § 4.315(a). It provides: "The petition [for reconsideration] must be filed with the Board within 30 days from the date of the decision."

Appellant's motion for reconsideration is dated and postmarked December 27, 2002, more than 30 days after November 19, 2002.

Therefore, pursuant to the authority delegated to the Board of Indian Appeals by the Secretary of the Interior, 43 C.F.R. § 4.1, Appellant's motion for reconsideration is denied.

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//original signed

Anita Vogt  
Administrative Judge

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//original signed

Kathryn A. Lynn  
Chief Administrative Judge